

NO-ACTION ALTERNATIVE AND CUMULATIVE IMPACT ANALYSIS

NO-ACTION ALTERNATIVE

NEED FOR A NO-ACTION ALTERNATIVE

The CALFED Bay-Delta Program (CALFED Program) is developing a joint programmatic environmental impact statement/environmental impact report (EIS/EIR) to address the environmental impacts and benefits of the range of actions that could be implemented to restore ecosystem health, resolve water supply issues, protect water quality, and manage the integrity of Delta levees.

Both the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) require that an EIS or EIR examine alternative ways of accomplishing the objectives of a proposed project. Both acts also require an examination of a "no-action" or "no-project" alternative. The no-action alternative is intended to disclose to the public and decision makers what would happen if the proposed action was not implemented and existing trends and conditions continued. The no-action alternative and the existing conditions will serve as baselines against which the impacts and benefits of the CALFED Program alternatives will be compared. The description of existing conditions is not covered in this document.

APPROACH FOR DEVELOPING THE NO-ACTION ALTERNATIVE

The CALFED Program intends to use a rigorous screening approach to determine which future programs, projects, policies, and institutional actions are clearly definable and highly likely to occur and as such should be included in the no-action alternative. Programs, projects, policies, and institutional actions not included in the no-action alternative will be considered for inclusion in the cumulative impact analysis. In addition, where needed, the CALFED Program will conduct additional "sensitivity" analyses for major projects not included in the no-action alternative to determine what effects they might have had on the no-action baseline, had they been included.

It is important to remember that the no-action alternative is only a tool for illuminating the potential consequences of implementing the alternatives. As such, including or excluding an action from the no-action alternative is not, in any way, intended to be a judgement regarding the merits of that action, or an assessment of the likelihood that the action will be implemented in the future.

CRITERIA FOR DETERMINING FUTURE ACTIONS TO INCLUDE IN THE NO-ACTION ALTERNATIVE

In developing the no-action alternative, the CALFED Program will focus on those future actions that could affect the physical features of the Bay-Delta system, and on the future federal and state policies that could affect the Central Valley and State Water Projects. Local actions and policies will generally not be considered unless they are of sizable magnitude. The CALFED Program is currently proposing to use the land use and population projections included in California Department of Water Resources Bulletin 160-93. Local land use changes and programs will not be specifically considered in the no-action alternative.

The CALFED Program proposes to use the screening criteria listed below to determine which actions to include in the no-action alternative. Potential actions that meet all applicable criteria would be included in the no-action alternative. Actions that do not meet all of the applicable criteria will be considered for inclusion in the cumulative impact analysis. It is important to note that, although the screening criteria are well developed and rigorous, judgement may be required in some instances, in screening certain actions.

CRITERION 1: HAS THE ACTION BEEN APPROVED FOR IMPLEMENTATION? To be included in the no-action alternative, implementation of the action must have been approved by the project sponsor or by the ultimate authorizing agency. In the case of construction-related projects, this approval must include authorization for design and construction.

CRITERION 2: DOES THE ACTION HAVE FUNDING FOR IMPLEMENTATION? To be included in the no-action alternative, an action must have sufficient approved funding to provide for its implementation.

CRITERION 3: DOES THE ACTION HAVE FINAL ENVIRONMENTAL DOCUMENTS? This criterion would be satisfied if all environmental documents and approvals necessary for implementation of the action had been completed.

CRITERION 4: DOES THE ACTION HAVE FINAL ENVIRONMENTAL PERMITS AND APPROVALS? This criterion would be satisfied if all final major permits and approvals (such as a Section 404 Permit or Endangered Species Act compliance) necessary to implement the action had been obtained.

CRITERION 5: WILL THE ACTION BE EXCLUDED FROM THE CALFED BAY-DELTA PROGRAM ACTIONS? Actions that will be included in the action alternatives for the CALFED Program will not be included in the no-action alternative. A comparison of the action alternatives with the no-action alternative would be distorted if an action were included in both.

CRITERION 6: WOULD THE EFFECTS OF THE ACTION BE IDENTIFIABLE AT THE LEVEL OF DETAIL BEING CONSIDERED FOR CALFED BAY-DELTA PROGRAM ANALYSIS? If a project's effects would be undetectable or minor in the programmatic impact analysis, the project need not be included in the no-action alternative. For example, if a project to be implemented by a water user could change

localized conditions in the vicinity of the project but would not affect regional conditions, or if those changes would be minor, the action may not need to be included in the no-action alternative. This criterion is intended to avoid including actions that would not materially affect the outcome of the CALFED Program alternatives analysis.

CUMULATIVE IMPACT ANALYSIS

GUIDELINES

In a NEPA and CEQA evaluation, the preferred alternative is evaluated with the combined effects of the cumulative actions in a single analysis. Cumulative impacts are defined by NEPA and CEQA as incremental impacts on the environment that result from the proposed action in combination with other related past, present, and "reasonably foreseeable" future actions. CALFED Program staff proposes to use the following criteria to identify reasonably foreseeable actions to be included in the cumulative impact analysis. All of the criteria must be met for an action to be included in the cumulative impact analysis.

CRITERIA

- **Is the action under active consideration?** Active consideration is defined as having current funding and staff support for planning and design.
- **Does the action have recently completed environmental documentation or are environmental documents in some stage of active completion?** This criterion is intended to eliminate actions that have been under consideration for a long period of time but for which no recent effort has been undertaken that would allow a reasonable projection for completion.
- **Would the action be completed and operational within the timeframe being considered for the CALFED Program?**
- **Does the action, in combination with the CALFED Program action alternatives, have the potential to affect the same resources?** This criterion is intended to exclude actions that meet the other criteria, but that have little or no potential to result in cumulative impacts.